

Gusan Sender Obrect

filed with the Zaming Office.

In the event that this Petition(s) is granted, a building permit may be

issued within the thirty (30) day appear period. The Zoning Commissioner

n writing by the date of the bearing

bove or made at the hearing. By Order Of
ARKOLD JABLON

1987 Net, 13.

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to permit lot widths of 50 feet for two building lots and a rear yard setback of 19 feet in lieu of the required 30 feet for the existing dwelling to the rear of the proposed building lots be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which

- 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2. Recommendations from the Office of Planning dated December 2, 1986, as to the Chesapeake Bay Critical Area findings (attached), shall be adopted in

Torse

cc: Mr. & Mrs. Thomas F. Corcoran

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- 1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unneces-
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief;
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, day of December, 1986, that the Petition for Zoning Variances

the requested variances.

307, Baltimore County Zoning Regulations (BCZR).

approximately 1938 on Lots 292 and 293 and accidentally encroached onto Lots

298 and 299. He purchased these lots, as well as other adjoining lots, to

rectify the problem. Mr. Corcoran now wishes to combine the four lots on

University Drive into two building lots, each 50 feet wide, which would

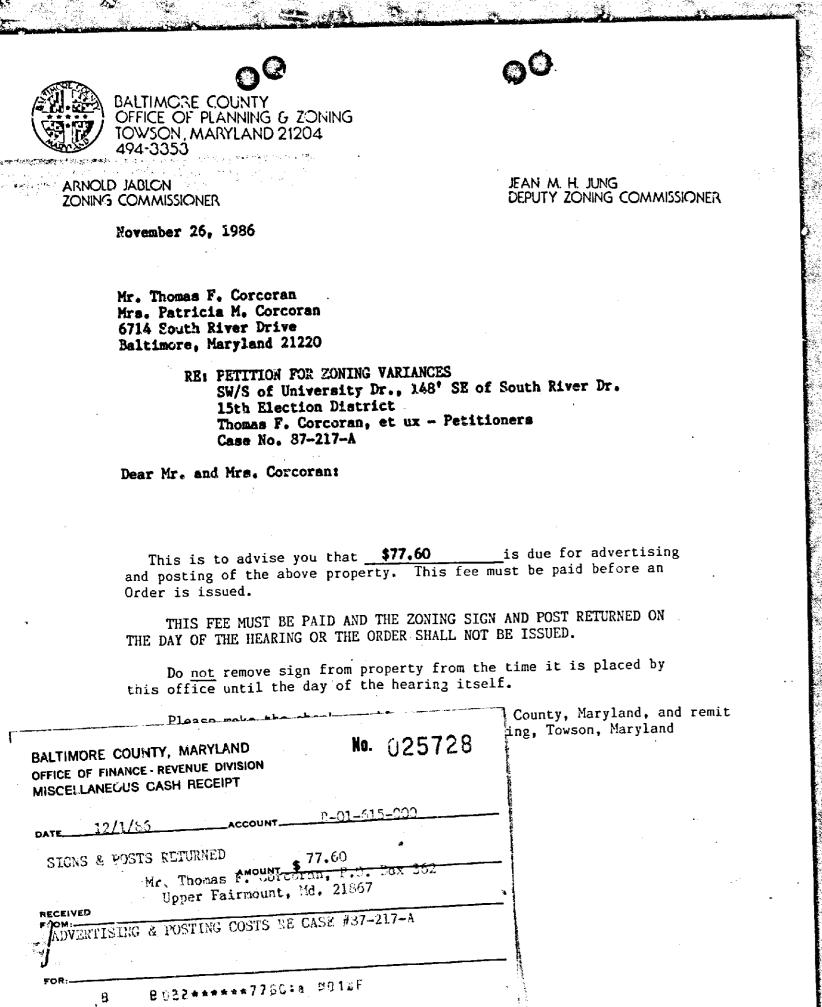
conform to the majority of developed lots in the area. He will resurvey,

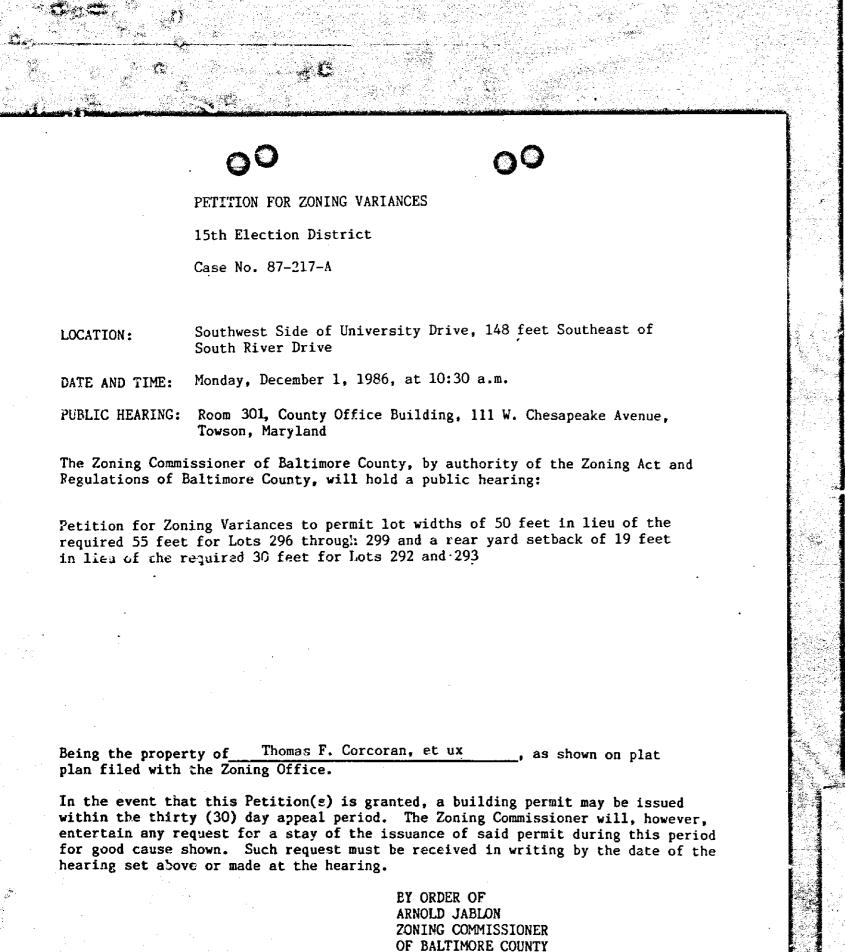
thereby necessitating a rear yard setback of 19 feet to the northeast property

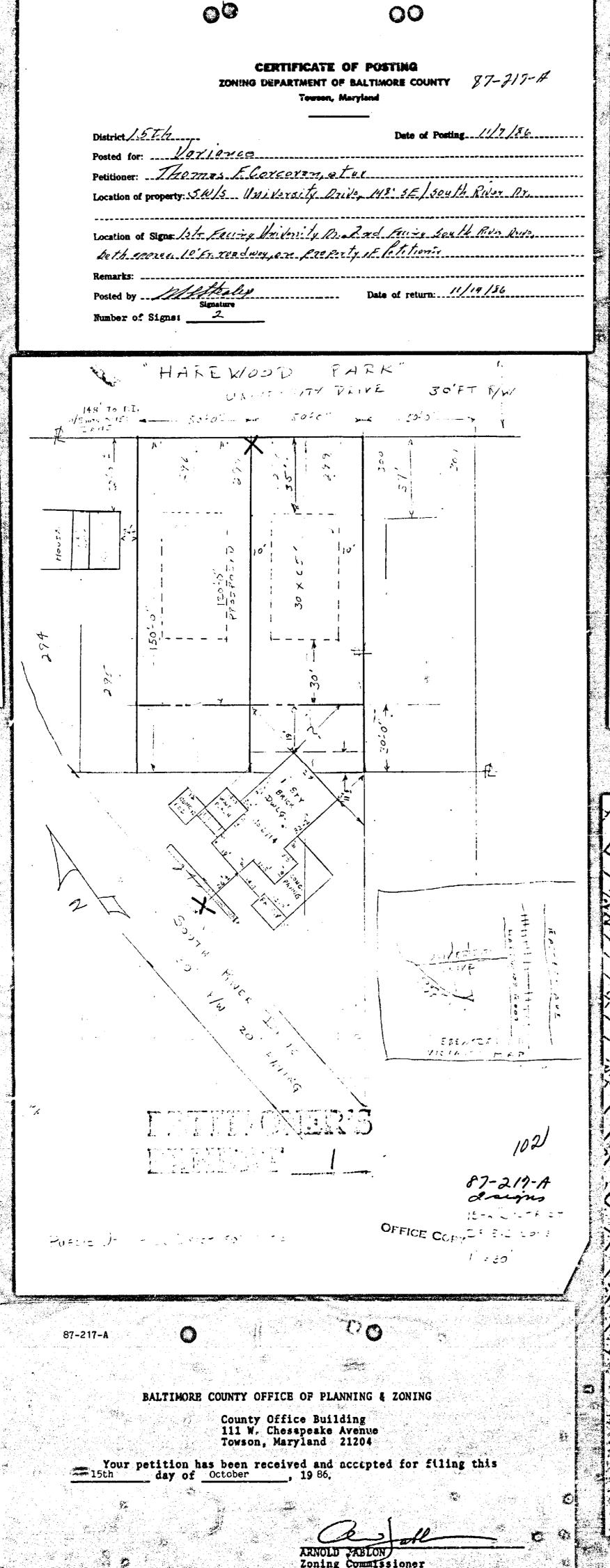
line shared by his home and Lots 298 and 299. His neighbors do not object to

The Petitioners seek relief from Section 1802.3.C.1, pursuant to Section

Baltimore County



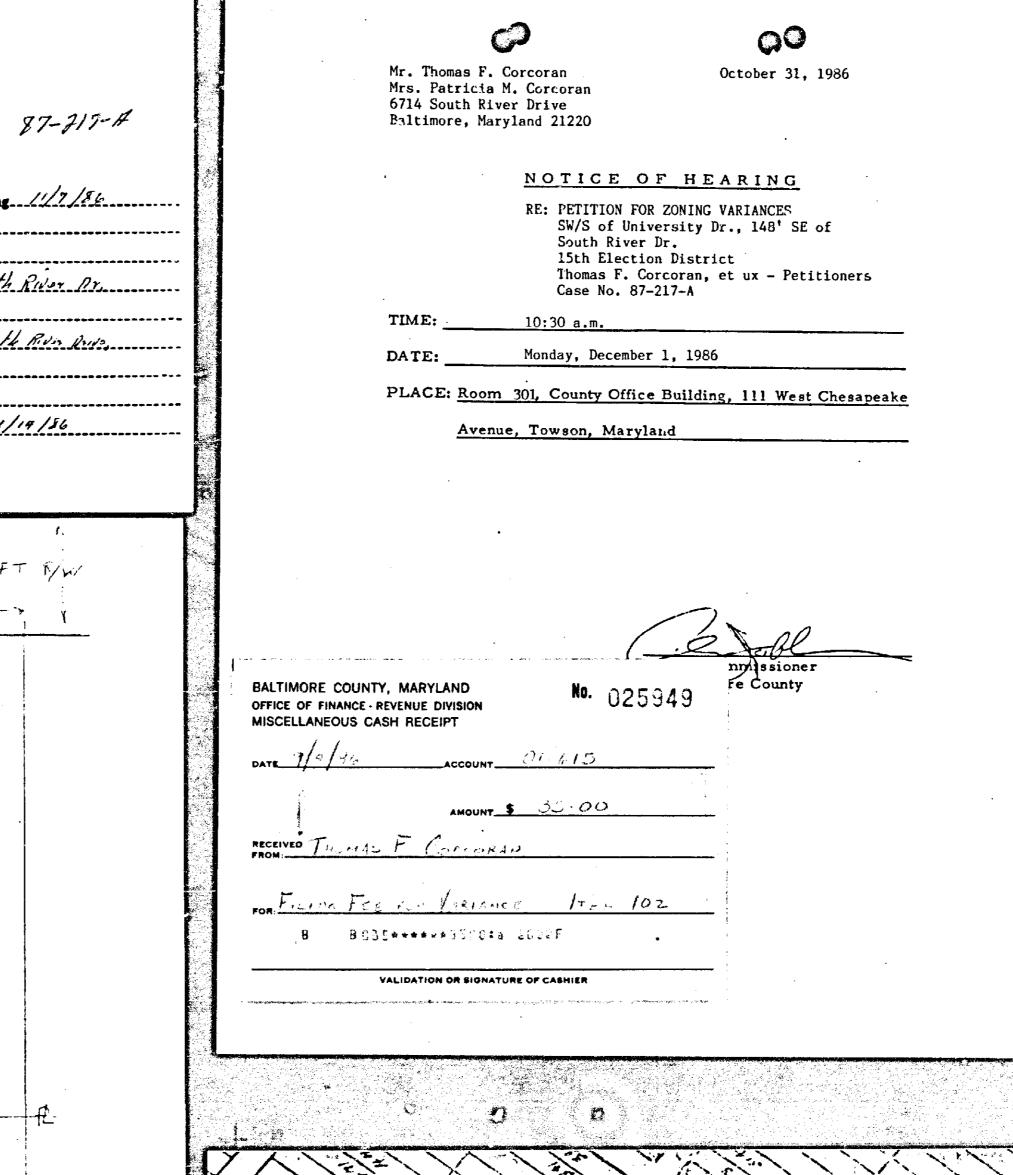


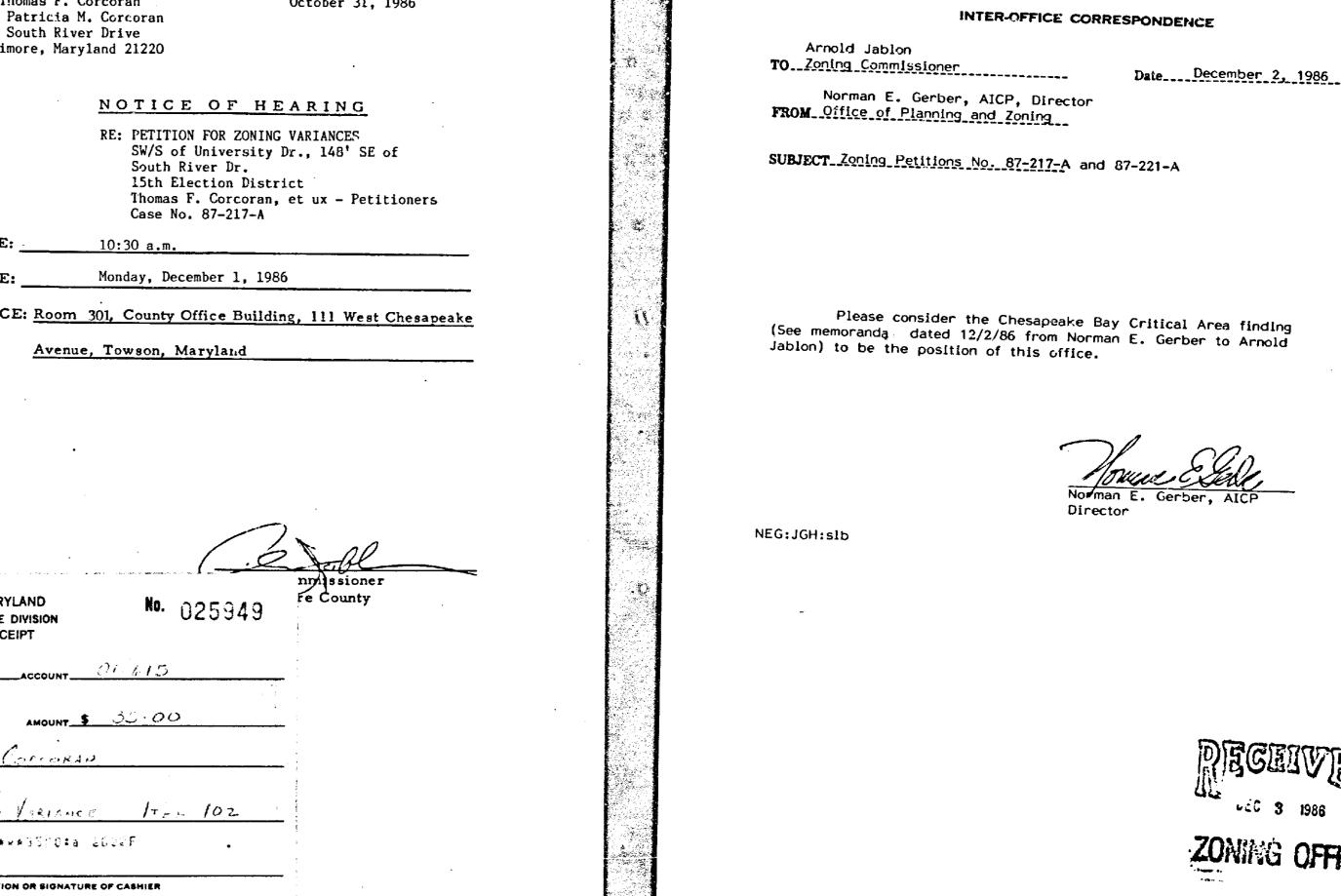


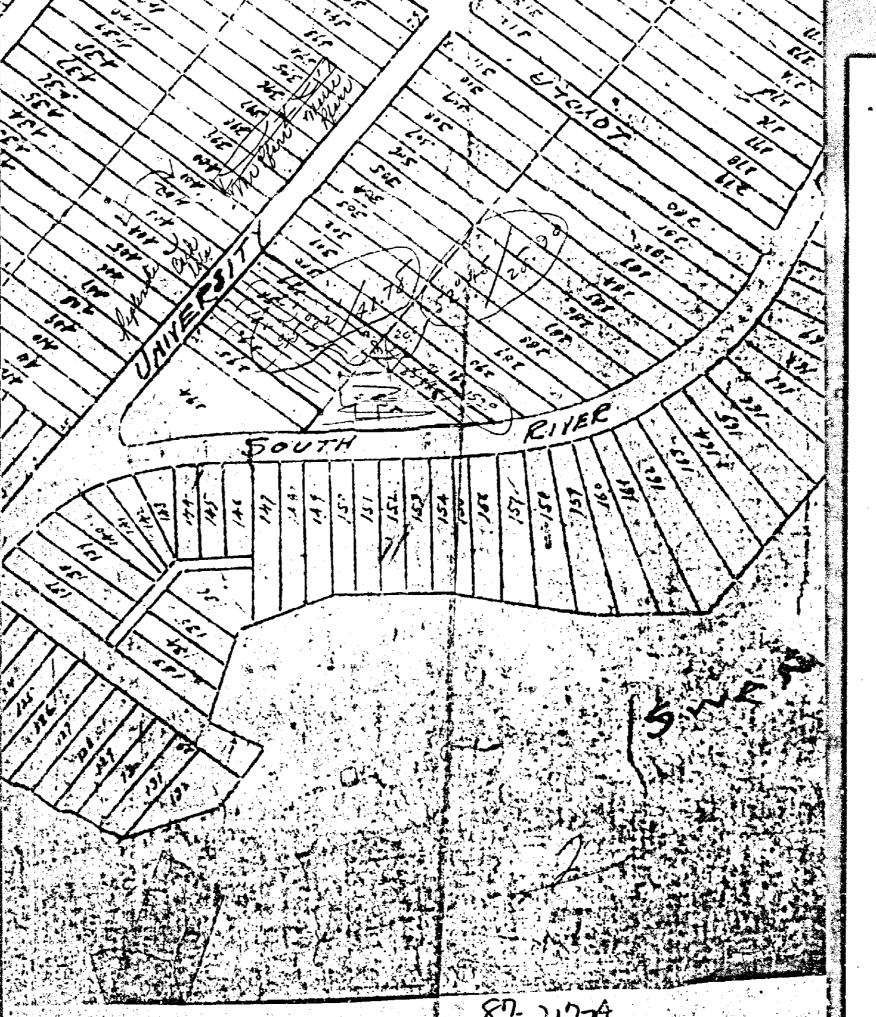
Potitioner Thomas F. Corcoran, et ux Received by: James E. Dyer

Chairman, Zoning Plans Advisory Committee

Petitioner's









BATIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO\_\_\_\_Arnold\_Jablon\_\_\_\_\_ Date\_\_\_December 2, 1986
Zoning Commissioner

FROM Norman F. Gerber, AICP Director
Office of Planning and Zoning
SUBJECT Chesapeake Bay Critical Area Finding
Thomas F. Corcoran (87-217-A, Item 102)

This petition has been reviewed by the staff of the Office of Planning and Zoning and it has been found that it is consistent with the requirements of the Chesapeake Bay Critical Area program provided that:

- Existing vegetation be maintained wherever possible and that enhancement tree plantings be made to the degree possible in order to reduce erosion, sedimentation and runoff and to provide wildlife habitat.
- Runoff from impervious surfaces be managed to allow infiltration by spreading runoff over vegetated areas toward suitable outfall.

Norman E. Gerber, AICP Director Office of Planning & Zoning

NEG/PJS/jat

cc: Uri Avin
Tim Dugan
Jim Hoswell
Andrea VanArsdale
Tom Vidmar
People's Counsel

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 25, 1986

COUNTY OFFICE BLDG.

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MEMBERS

Traffic Engineering Fire Prevention Health Department Project Planning

Development

111 W. Chesapeake Ave. Towson, Maryland 21204

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as Marc

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Chairman

Bureau of Department of

State Roads Commission Building Department Board of Education Zoning Administration Industrial

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING TOWSON, MARYLAND 21204 494-3211

NORMAN E. GERBER DIRECTOR

Mr. Arnold Jablon Zoning Commissioner County Office Building

Dear Mr. Jablon:

applicable.

Towson, Maryland 21204

Mr. Thomas F. Corcoran 6714 South River Drive Baltimore, Maryland 21220

RE: Item No. 102 - Case No. 87-217-A Petitioner: Thomas F. Corcoran, et ux Petition for Zoning Variance

Dear Mr. Corcoran:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

NOVEMBER 5, 1986

(CRITICAL AREA)

SE SOUTH RIVER DRIVE

The Division of Current Planning and Development has reviewed the subject

)A County Review Group meeting was held and the minutes will be

subdivision. The plan must show the entire tract.

)A record plat will be required and must be recorded prior

)This site is part of a larger tract; therfore it is defined as a

This property contains soils which are defined as wetlands, and

Development of this site may constitute a potential conflict with the Baltimore County Master Plan.

)The amended Development Plan was approved by the Planning Board

)Landscaping: Must comply with Baltimore County Landscape Manual.

The property is located in a deficient service area as defined by Bill 178-73. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service

)The property is located in a traffic area controlled by a "D" level

intersection as defined by Bill 178-39, and as conditions change traffic capacity may become more limited. The Basic Services Areas

"THIS SITE IS LOCATED INTHE CHESAPERKE BOY

CRITICAL AREA ADDITIONAL COMMENTS WILDE PROJUCED

BY THE COMPREHENSIVE PURUNIAN DIVISION."

David Fields, Acting Chief Current Planning and Development

development on these soils is prohibited.

Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development

petition and offers the following comments. The items checked below are

)A County Review Group Meeting is required.

forward by the Bureau of Public Services.

to issuance of a building permit.

)The access is not satisfactory.

(X)Additional comments:

cc: James Hoswell

)There are no site planning factors requiring comment.

)The circulation on this site is not satisfactory.

are re-evaluated annually by the County Council.

The parking arrangement is not satisfactory. )Parking calculations must be shown on the plan.

Re: Zoning Advisory Meeting of SEPTEMBER30, 1986

Item # 102 Property Owner: THOMAS F. CORCORAN, eta Location: SW/S UNIVERSITY DRIVE, 148

ames E. DyulkKB Zoning Plans Advisory Committee

JED:kkb Enclosures

BALTIMORE COUNTY FIRE DEPARTMENT TOWSON, MARYLAND 21204-2586

September 29, 1986

PAUL H. REINCKE CHIEF

Mr. Arnold Jablon Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson . Maryland 21204

RE: Property Owner: Thomas F. Corcoran, et ux (CRITICAL AREA)

Location: SW/S University Drive, 148' SE South River Drive

Item No.: 102

Zoning Agenda: Meeting of 9/30/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 750 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_

EXCEEDS the maximum allowed by the Fire Department.

- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.

) 7. The Fire Prevention Bureau has no comments

Planning Group

Fire Prevention Bureau

Special Inspection Division

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

October 14. 1986

TED ZALESKI, JR. DIRECTOR

Mr. Arnold Jablon, Zoning Commission Office of Planning and Zoning

Critical Area

Property Owners Thomas F. Corcoran, et ux SW/S University Drive, 148 feet SE South River Drive Districts

- All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.H.S.I. #117-1 1980) and other applicable Codes and
- (E) A building and other miscellaneous permits shall be required before the start of any construction.
- eroial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect
- E. All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. B-4 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0 of an interior lot line.
- F. The structure does not appear to comply with Table 505 for permissable height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(a) \_\_\_\_\_
- H. When filing for a required Change of Use/Cooupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plane indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer semis are usually required. The change of Use Groups are from Use \_\_\_\_\_\_\_ to Use \_\_\_\_\_\_\_ to Mixed Uses \_\_\_\_\_\_\_ to See Section 312 of the Building Code.

The proposed project appears to be located in a Flood Plain, Fidel/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above see level for the lot and the finish floor levels including beausent. NOTE:

- (J.) Comments: Grade elevations and proposed building elevations shall be shown on the submittal plan, when filing for a permit.
- These abbreviated comments reflect only on the information provided by the drawings submitted to the Office

EFFECTIVE - AFRIL 22, 1985 A Section added to read as follows:

SPECIAL NOTE FOR CONSTRUCTION IN TIDAL OR OVERINE AREAS BILL #17-85 BALTIMORE COUNTY BUILDING CODE 1984

CONSTRUCTION IN AREAS SUBJECT TO FLOODING SECTION 516.0

AREAS SUBJECT TO INUNDATION BY TIDEWATERS:

1. Whenever building or additions are constructed in areas subject to inundation by tidewaters, the building's lowest floor (including basement) shall be not lower than one (1) foot above the 100-year flood elevation, as established by the U.S. Army Corps of Engineers or the Federal Flood Insurance Study, whichever is more restrictive. These buildings or additions shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure with materials resistant to flood damage.

Areas beneath buildings will not be considered as basements if headroom to underside of floor joists is less than six feet or if enclosure walls are at least 50 percent open.

- 2. Crawl spaces under buildings constructed in the tidal plain, as determined by the U.S. Army Corp of Engineers or the Federal Flood Insurance Study, whichever is the more restrictive, shall be constructed so that water will pass through without resulting debris causing damage to the improvements of any property.
- 3. New or replacement utility systems, including but not limited to water supply, sanitary sewage, electric, gas and oil, must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.
- 516.2 RIVERINE AREAS SUBJECT TO INUNDATION BY SURFACE WATERS WITHIN THE 100 YEAR FLOOD PLAIN.
- 1. No structures or additions shall be within the 100-year flood plain of any watercourse. The 100-year flood plain shall be based upon the Federal Flood Insurance Study or the Department of Public Works, whichever is the more restrictive. This determination shall include planned future development of the watershed area.
- 2. Reconstruction of residential dwelling units shall be governed by Sections 103.0 or 120.0 as applicable, except that rebuilding of residential dwelling units damaged in excess of 50 percent of physical value shall also be governed by the provisions of Subsection 516.1 of this Section.
- 3. Reconstruction of other than residential buildings or structures in the riverine areas shall be made to conform to 516.1 when damage exceeds 50 percent of physical value.

April 1985

SECTION 516.0

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204 494-3550

STEPHEN E. COLLINS DIRECTOR

October 23, 1986

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Jablon:

MSF:1t

The Department of Traffic Engineering has no comments for items number (102) 116, 117, 118, 120, 121, 123, and 126.

Traffic Engineer Associate II